UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/364
22 May 1996

ORIGINAL: ENGLISH

LETTER DATED 22 MAY 1996 FROM THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991 ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The Prosecutor of the Tribunal, Justice Richard Goldstone, has drawn my attention to the following. According to reliable information, General Ratko Mladić was present in Belgrade on Tuesday, 21 May 1996, attending the funeral of General Djukić. It is self-evident that General Mladić entered and left Belgrade unhindered.

The fact that General Mladić has not been arrested by the authorities of the Federal Republic of Yugoslavia is further evidence of the blatant failure of that State to comply with its clear and overriding legal obligation to execute orders of this Tribunal, orders that, to quote a report of the Secretary-General to the Security Council (S/25704, para. 126) "shall be considered to be the application of an enforcement measure under Chapter VII of the Charter of the United Nations".

A warrant for the arrest of General Mladić, issued by a judge of our Tribunal, was formally served on the authorities of the Federal Republic of Yugoslavia many months ago.

I also feel duty bound to draw your attention to another notably serious event. According to reliable information passed to me by Prosecutor Goldstone, one of the three indictees about whom I had reported to you in my letter of 24 April 1996 (see S/1996/319), against whom our Tribunal has issued an international arrest warrant, namely Colonel Veselin Sljivancanin, was also seen on 21 May 1996 in Belgrade attending the funeral of General Djukić. In your statement of 8 May 1996 deploring the failure of the Federal Republic of Yugoslavia to execute the arrest warrants issued by the International Tribunal against the three named individuals (see S/PRST/1996/23), it was also stated that the Security Council would remain seized of the matter. I therefore thought that it would be appropriate for me to report to you on this continuing

violation by the Federal Republic of Yugoslavia of its obligation to cooperate with our Tribunal pursuant to Security Council resolution 827 (1993) in respect of one of those individuals.

(Signed) Antonio CASSESE
President